

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Tang et al.

Confirmation No: To be assigned

Serial No.: To be assigned

Group Art Unit: To be assigned

Filed: July 25, 2003

Examiner: To be assigned

For: Methods For Producing Biological Substances In Pigment-Deficient Mutants Of *Bacillus* Cells

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, DC 20231

Sir:

Before examination, please amend the above-identified application as follows:

**AMENDMENTS TO THE CLAIMS:**

Claims 5-8, 10, 11, 13-14, 16-19, 24-27, 29-30, 32-33, 35-38, 43-46, 48-49, and 51-57 are canceled without prejudice or disclaimer. Claims 50-69 are pending. The following is the status of the claims of the above-captioned application, as amended.

Claim 1 (original) A method of producing a heterologous biological substance, comprising:

- (a) cultivating a mutant of a parent *Bacillus* cell in a medium suitable for the production of a heterologous biological substance, wherein (i) the mutant cell comprises a first nucleic acid sequence directing synthesis of the heterologous biological substance and a second nucleic acid sequence comprising a modification of at least one of the genes *cypX* and *yvmC*, which are involved in the production of a red pigment, and (ii) the mutant cell is deficient in the production of the red pigment compared to the parent *Bacillus* cell when cultivated under the same conditions; and
- (b) recovering the heterologous biological substance from the cultivation medium.

Claim 2 (original) The method of claim 1, wherein at least one gene of the second nucleic acid sequence is